

### REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-6 are pending in the application. Claims 1-3, 5 and 6 are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is presented.

As an initial matter, Applicants respectfully request that the information disclosure statement filed October 10, 2006, be considered by the Examiner. The reference in the IDS is discussed in an English language translation of a Chinese Office Action submitted with the IDS. Thus, in accordance with MPEP § 609(III)A(3), the English language foreign Office Action satisfies the requirement for a concise explanation of the relevance of the foreign language references, as required under 37 C.F.R. § 1.98.

Further, an English language translation of the reference cited in the Chinese Office Action included in the IDS of October 10, 2006 is submitted herewith. Therefore, Applicants respectfully request that the IDS submitted October 10, 2006, and the IDS submitted herewith be considered by the Examiner.

In the outstanding Official Action, Claims 3 and 4 were rejected under 35 U.S.C. § 102(e) as anticipated by Wu (U.S. Pub. No. 2002/0082015); and Claims 1-2 and 5-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wu in view of Nguyen et al. (EP 1150521, hereinafter "Nguyen").

In response to the above noted rejections based on Wu, Applicants respectfully traverse these rejections. Specifically, Applicants submit that Wu fails to teach or suggest the claimed features for which it is asserted under 35 U.S.C. § 102(e), and as a primary reference under 35 U.S.C. § 103(a).

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<sup>1</sup> e.g., specification, Figs. 1-3.

Amended independent Claim 1 relates to a radio access network system including a control server which manages a configuration of a radio access network including a base station, and which sets a transfer path for a packet in accordance with the configuration. A data server is also provided which manages a resource of a base station located in the transfer path set by the control server. Claim 1 is amended to specifically recite that ***the base station and the data server are connected to the control server***. Amended Claim 1 further recites that the control server includes ***an inter-server communicator that notifies an instruction to reserve a resource of the data server for the base station***, and the control server creates a resource reservation instruction, which includes a connection ID assigned to the data transfer path. A radio access network-side communicator of ***the control server then transmits the resource to the base station***.

Independent Claims 2, 3 and 5, while directed to alternative embodiments, recite substantially similar features.

Turning to the applied references, Wu describes a method and system for transferring a communication session from one service area (101) to another (102), where each service area is associated with a transcoding proxy (111, 112) for transcoding communications sessions established in the service area to and from a format suitable for a mobile device (104).<sup>2</sup> A gateway server (103) relays the communication session from a content server (105, 106, 107) via the appropriate transcoding proxy to the mobile device (104), and when the mobile device (104) moves to the second service area (102), the second transcoding proxy (112) is contacted and the session handling is transferred thereto.<sup>3</sup>

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<sup>2</sup> Wu, Abstract.

<sup>3</sup> Id.

Wu, however, fails to teach or suggest a *control server connected to a base station*, or *a control server that notifies the resource assigned by the data server, to the base station*, as recited in amended independent Claim 1.

Specifically, amended independent Claim 1 recites that control server transmits/receives the control signal to/from the base station, and the data server transmits/receives the data signals to/from the base station. In other words, the radio access system is divided into the control server for executing the control plane function and the data server for executing the user plane function, so that the control server executed transmitting/receiving control signals to/from the base station without passing the data server.

In contrast, Wu is directed to facilitating a seamless handover between heterogeneous mobile communication networks while maintaining a communication session facilitated via BSC. Further, according to Wu, the gateway (e.g., manager) is not directly connected to the base station, and the control plane function and the user plane function are not divided. In other words, the control signal of Wu is transmitted/received via BSC, which corresponds to the data server of the present application.

Therefore, Wu fails to teach or suggest the system architecture, as recited in amended independent Claim 1.

Further, Wu fails to teach or suggest that “*a connection ID is assigned to the data transfer path and included in the instruction when the data transfer path is set.*”

In addressing this feature, the Official Action relies on the contents of Table 1 of Wu. However, the “service area profile” of Wu describes attributes associated with various transcoding proxies, and does not relate to assigning a connection ID to a data transfer path, whatsoever. As described at ¶[0029] of Wu, the transcoding proxies (111, 112) transcode communication sessions in their established service areas (101, 102) to and from a format suitable for the mobile device (104) to facilitate access to the content offered by the content

servers (106, 107). Thus, the “service area profile” table identifies transcoding proxies and information associated with the networks underlying the transcoding proxies and does not assign “*a connection ID... to the data transfer path*” which is “*included in the instruction when the data transfer path is set,*” as recited in independent Claim 1.

Therefore, Wu fails to teach or suggest the claimed system architecture, as recited in amended independent Claim 1, and more specifically fails to teach or suggest a *control server connected to a base station*, or a control server that *notifies the resource assigned by the data server, to the base station*, as recited in amended independent Claim 1.

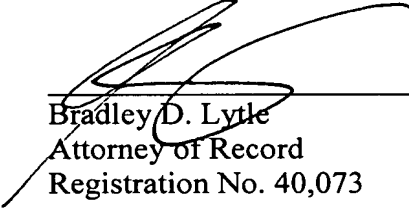
Likewise, Nguyen, the secondary reference relied upon to reject Claims 1-2 and 5-6, fails to remedy the above noted deficiencies in Wu, and therefore, none of the cited references, neither alone, nor in combination teach or suggest Applicants Claims 1-6, which include the above distinguished limitations by virtue of independent recitation or dependency. Therefore, the Official Action does not provide a *prima facie* case of obviousness with regard to any of these claims.

Accordingly, Applicants respectfully request that the rejection of Claims 1-2 and 5-6 under 35 U.S.C. § 103(a) be withdrawn. Further, for at least the reasons noted above, Applicants respectfully request that the rejection of Claim 3 (and Claim 4, which depends therefrom) under 35 U.S.C. § 102(e) be withdrawn.

Consequently, in view of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-6 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Andrew T. Harry  
Registration No. 56,959

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